IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO.19485 of 2003

Between:

B.Alivelamma, W/o.B.Sesha Reddy,

R/o.24/305, Powerhouse Road,

Proddatur, Cuddapah District. **..... PETITIONER**

AND

The Secretary,

Regional Transport Authority, Cuddapah. **.....RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the respondent in collecting more than the town service tax i.e., moffisil tax instead of ordinary tax as per Item 4(B) (b) of G.O.Ms.No.152, dated 1.12.2001 to the petitioner's stage carriage bus bearing No. ADD 1369 on the town service route Proddatur Sivalayam to Rayalaseema Thermal Power project as illegal, arbitrary, without jurisdiction and unconstitutional and consequently to direct the respondent to collect the tax as per Item 4 (B) (b) of G.O.Ms.No.152, dated 1.12.2001 and refund the excess tax which were already paid, to the petitioner.

Counsel for the Petitioner: MR.I.GOPAL REDDY

Counsel for the Respondent: Spl.Govt.Pleader for Taxes.

The Court made the following :

ORDER: (PER SRI BN, J)

During the course of hearing, learned Counsel for the petitioner submitted that he would not press the writ petition, if the respondent is directed to dispose of the representations made by him. In the light of this submission, we dispose of this writ petition, directing the respondent to dispose of the representations made by the petitioner, within a period of six weeks.

(Bilal Nazki, J)

13th July, 2004

(P.S.Narayana, J)

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To

1.The Secretary, Regional Transport Autbhority,

Cuddapah.

4.Two CCs to the Spl. Govt. Pleader for Taxes,

High Court Buildings, Hyderabad (O.U.T)

5.Two CD copies

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